

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4259 of 2007()

**C.C.NO.359/2003 DATED 30.10.04 PASSED BY THE COURT OF THE
JUDICIAL MAGISTRATE - I CLASS VADAKARA**

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

**MARUNNOLIMEETHAL BHARATHAN,
S/O.BALAN, AGED 35 YEARS, VILLIAPPALLY P.O.,
VADAKARA.**

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT/STATE

**1. RAGHAVAN, S/O.KUMARAN,
AGED 45 YEARS, MELEDATH HOUSE,
P.O.VILLIAPPALLY, VADAKARA.**

**2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

**BY ADV. SRI.SAKIR.K.H.
PUBLIC PROSECUTOR SRI.C.M.NAZAR**

**THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 28/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

V. RAMKUMAR, J.

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Crl.R.P. No. 4259 of 2007

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Dated this the 28th day of November, 2007

ORDER

The accused in C.C.No.359 of 2003 on the file of the Judicial First Class Magistrate, Vadakara for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No.12578 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner before the trial court, pursuant to the orders of the court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

V. RAMKUMAR, J.

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Crl.R.P. No.

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Dated this the day of October, 2007

ORDER

The accused in C.C. / ST. No.....on the **file** of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

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